

LAVIN, COLEMAN, O'NEIL, RICCI, FINARELLI & GRAY
BY: Edward T. Finch, Esquire
Identification No. 83692
510 Walnut Street, Suite 1000
Philadelphia, PA 19106
(215) 627-0303

BARBARA J. HARRY, Executrix of the Estate of
ROBERT L. HARRY, BARBARA J. HARRY, as
surviving spouse

COURT OF COMMON PLEAS
NORTHAMPTON COUNTY

V.

NO. C0048AB2002000237

AC&S, INC., ET AL.

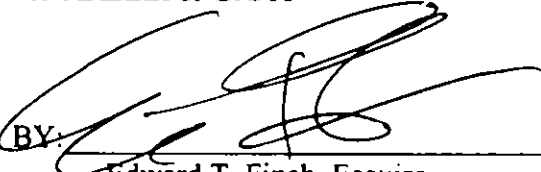
PRAECIPE TO FILE NOTICE OF REMOVAL

TO THE PROTHONOTARY:

Kindly file the attached Notice of Removal in the above-captioned matter.

Respectfully submitted,

LAVIN, COLEMAN, O'NEIL, RICCI,
FINARELLI & GRAY

BY: 

Edward T. Finch, Esquire
Attorney for Defendants,
Ford Motor Company and
General Motors Corporation

ER

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BARBARA J. HARRY, Executrix of the Estate of
ROBERT L. HARRY, BARBARA J. HARRY, as
surviving spouse

CASE NO. 02cv 2976

V.

FORD MOTOR COMPANY
GENERAL MOTORS CORPORATION
FEDERAL-MOGUL GLOBAL, INC.

NOTICE OF REMOVAL

Defendants Ford Motor Company and General Motors Corporation (the "automobile manufacturers") hereby give notice of the removal to the United States District Court for the Eastern District of Pennsylvania of the claims which have been asserted against them in the action captioned Barbara J. Harry, Executrix of the Estate of Robert L. Harry, Barbara J. Harry, as surviving spouse v. AC&S, Inc., et al. now pending in the Court of Common Pleas of Northampton County, at No. C0048AB2002000237. This Notice of Removal is filed pursuant to 28 U.S.C. § 1452(a), and as grounds for removal the automobile manufacturers state the following:

1. The action of which the removed claims are a part was commenced in the Court of Common Pleas of Northampton County.
2. The removed claims are those for personal injury or wrongful death asserted against the automobile manufacturers on the basis of alleged exposure to certain of their asbestos-containing products, including brakes and other automotive parts, manufactured for the automobile

manufacturers by Federal-Mogul Global, Inc., or companies that it purchased, one or more of which is a co-defendant of the automobile manufacturers.

3. On October 1, 2001 Federal-Mogul Global, Inc. filed a voluntary petition for protection under Chapter 11 of the United States Bankruptcy Code, commencing bankruptcy case number 01-10578 (the "Federal-Mogul Bankruptcy Case") currently pending in the United States Bankruptcy Court for the District of Delaware.

4. The removed claims may be removed to this Court pursuant to 28 U.S.C. § 1452(a): (i) the removed claims are asserted in a civil action not exempt from removal; and (ii) the Court has jurisdiction of the removed claims under 28 U.S.C. § 1334. All claims asserted against the Removing Defendants are related to the Federal-Mogul Bankruptcy Case, and the continued prosecution, outcome at trial or other resolution of the claims will have an effect on the administration of the Federal-Mogul Bankruptcy Case.

5. Removal to this Court is timely pursuant to Federal Rule of Bankruptcy Procedure 9027(a)(3) in that the Federal-Mogul Bankruptcy Case was pending when the removed claims were asserted on or after October 1, 2001 and in that this notice has been filed within 30 days of receipt by one or all of the automobile manufacturers of a copy of the initial pleading setting forth the removed claims.

6. Upon removal, the proceedings with respect to the removed claims are non-core. The automobile manufacturers do not consent to entry of a final order or judgment by the bankruptcy judge to the extent the bankruptcy court is authorized to hear or determine such claims consistent with 28 U.S.C. § 157(b)(5).

7. The purpose of removal is to facilitate transfer of the removed claims to the United States District Court for the District of Delaware, the district court presiding over the Federal-Mogul Bankruptcy Case, to resolve on a consolidated basis the common threshold scientific issues concerning whether brakes and other automotive parts cause disease. *See, e.g., In re Dow Corning Corp.*, 1995 W.L. 495978, at *2 (Bankr. E.D. Mich. Aug. 9, 1995) (personal injury tort claims transferred to bankruptcy court pursuant to 28 U.S.C. § 157(b)(5) to resolve threshold scientific issues concerning whether silicone breast implants caused disease after removal to federal court pursuant to 28 U.S.C. § 1452(a)).

8. On November 20, 2001, the automobile manufacturers filed in the Federal-Mogul Bankruptcy Case a motion pursuant to 28 U.S.C. § 157(b)(5) to transfer this and all other claims related to brakes and automotive parts for consolidated resolution of the threshold scientific issues concerning whether brakes and other automotive parts cause disease.

9. On December 10, 2001 the Honorable Alfred M. Wolin issued the attached Order provisionally transferring pursuant to 28 U.S.C. § 157(b)(5) the claims asserted against the automobile manufacturers to the United States District Court for the District of Delaware.

10. On January 3, 2002, Judge Wolin issued a letter opinion and order reiterating that all asbestos friction claims against the automobile manufacturers pending in federal courts as of December 10 had been transferred, and ordering any claims removed after December 10 transferred as well. A copy of the Order and Opinion are attached to this Notice.

11. On February 8, 2002, the Honorable Alfred M. Wolin denied the "Motions to Transfer the 'Friction Claims'" and simultaneously remanded the friction products claims. Attached hereto is a copy of said Order.

12. However, on February 11, 2002, the United States Court of Appeals for the Third Circuit granted a Temporary Stay of Judge Wolin's February 8, 2002 Court Order so that the matter could be considered by a three-judge panel of that court. Attached hereto is a copy of said Order.

13. The Removing Defendants file this Notice of Removal to adequately protect the interests of Removing Defendants and to facilitate transfer of these claims to the United States District Court for the District of Delaware pursuant to Judge Wolin's provisional transfer order.

14. The automobile manufacturers will comply with 28 U.S.C. § 1446(d) by promptly giving notice of the filing of this Notice of Removal to all adverse parties to the action pending in the state court and filing a copy of this Notice of Removal with the prothonotary of the Court of Common Pleas of Northampton County.

Respectfully submitted,


LAVIN, COLEMAN, O'NEIL, RICCI,
FINARELLI & GRAY

BY: 

Edward T. Finch, Esquire
Attorney for Defendants,
Ford Motor Company and
General Motors Corporation

CERTIFICATE OF SERVICE

I, Edward T. Finch, Esquire, hereby certify that pursuant to 28 U.S.C. § 1446(d) written notice of the removal of this action will be promptly given to all adverse parties and a copy of the Notice of Removal will be filed with the Court of Common Pleas.



Edward T. Finch, Esquire

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

BARBARA J. HARRY, Executrix for the Estate of
ROBERT L. HARRY, BARBARA J. HARRY, as CASE NO.
surviving spouse

V.

FORD MOTOR COMPANY
GENERAL MOTORS CORPORATION
FEDERAL-MOGUL GLOBAL, INC.

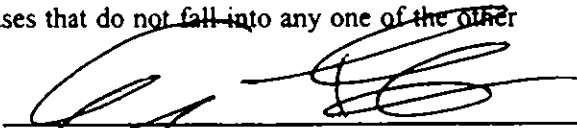
In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See §1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2441 through §2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 8. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. (X)
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

May 17, 2002

(Date)



Attorney-at-law

Edward T. Finch, Esquire

Attorney For

Ford Motor Company and General Motors Corporation

(Civ. 660)

12/91

CIVIL COVER SHEET

JS44

(Rev. 12/96)

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

Barbara J. Harry, Executrix for the Estate of Robert L. Harry,
Barbara J. Harry, as surviving spouse

DEFENDANTS

SEE ATTACHED

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

George A. Weber, III, Esquire
Law Offices of Peter G. Angelos, P.C.
60 W. Broad Street - Suite 200
Bethlehem, PA 18018
(610) 866-3333

ATTORNEYS (IF KNOWN)

Lavin, Coleman, O'Neil, Ricci, Finarelli & Gray
Penn Mutual Tower
510 Walnut Street - Suite 1000
Philadelphia, PA 19106
(215) 627-0303

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Action for personal injury for asbestos exposure against Federal-Mogul Global, Inc., or companies it purchased and removing defendants, removed pursuant to 28 U.S.C. § 1452(a).

CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 446 Other Civil Rights PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input checked="" type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 520 Habeas Corpus <input type="checkbox"/> 520 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Other	FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC § 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Legislation <input type="checkbox"/> 791 Empl Ret Inc Security Act	BANKRUPTCY <input type="checkbox"/> 442 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1390) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DEWW (405(g)) <input type="checkbox"/> 864 SSDI Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
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VI. ORIGIN

☐ 1 Original Proceeding

☒ 2 Removed from State Court

(PLACE AN x IN ONE BOX ONLY)
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened

Transferred from
☐ 5 another district (specify)

☐ 6 Multidistrict Litigation

Appeal to District
☐ 7 Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A
☐ UNDER F.R.C.P. 23

CLASS ACTION

DEMAND \$
 Not Specified

Check YES only if demanded in complaint:

JURY DEMAND ☒ YES ☐ NO

VIII. RELATED CASE(S) (See instructions):
IF ANY

JUDGE

DOCKET NUMBER 01-CV-5981

DATE

SIGNATURE OF ATTORNEY OF RECORD

May 17, 2002

Edward T. Finch, Esquire

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

Defendants (Names and Addresses):

Ford Motor Company
Parklane Towers West
Suite 1500
Three Parklane Boulevard
Dearborn, MI 48126-2568

General Motors Corporation
400 Renaissance Center
P.O. Box 400
Detroit, MI 48265-4000

Federal-Mogul Global, Inc., individually and/or as parent company, successor in interest, or indemnitor to or of:

Fel-Pro, Inc.,

Ferodo America, Inc.,

Gasket Holdings, Inc., formerly known as Flexitallic Gasket Company,

Moog Automotive Inc., formerly known as Wagner Electric Corporation,

Pneumo Abex Corp., or

T&N plc.

2655 Northwestern Highway
Southfield, MI 48034

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA
CIVIL DIVISION - ASBESTOS

Barbara J. Harry, Executrix for the
Estate of Robert L. Harry,
Barbara J. Harry, as surviving spouse,
440 W. Washington Street
Slatington, Pa. 18080

Plaintiffs,

• •

vs.

ACandS, Inc.
120 N. Lime Street
Lancaster, Pennsylvania 17602

and

Allied Signal, Inc.
c/o CT Corporation Systems
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

Amchem Products, Inc.
c/o C.T. Corporation System
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

A.W. Chesterton Company
c/o C.T. Corporation System
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

No. C0048AB2002000

BF Goodrich Company
c/o CT Corporation Systems
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

Viacom, Inc., Successor by merger to
CBS Corporation
f/k/a Westinghouse Electric Corp.
c/o Asbestos Litigation Support Manager
Eckert, Seamans, Cherin & Mellott, LLC
Case Management and Technology Center
Gulf Tower, 5th Floor
707 Grant Street
Pittsburgh, PA 15222

and

Clayton Dubilier & Rice
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

and

Cooper Industries
c/o C.T. Corporation System
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

Crown, Cork & Seal Company, Inc.
1 Crown Way
Philadelphia, PA 19104

and

Fairmont Supply Company
f/k/a Montfair Industrial Supplies Company
f/k/a Fairmont Machinery Company,
437 Jefferson Avenue
Wilmington, PA 19801

and

Ferro Engineering
A Division of Oglebay Norton Co.
1100 Superior Avenue
Cleveland, Ohio 44114

and

The Flintkote Co.
Three Embarcadero Center; Suite 1190
San Francisco, CA. 94111-4047

and

Ford Motor Company
c/o CT Corporation Systems
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

Foseco, Inc.
c/o C.T. Corporation System
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

Foster-Wheeler Corporation
Perryville Corporate Park
Clinton, N.J. 08809-4000

and

General Electric Company
c/o C.T. Corporation System
1515 Market Street, Suite 1210
Philadelphia, Pa. 19102

and

General Refractories Company
225 City Line Ave.
Suite 114
Bala Cynwyd, PA 19904

and

General Motors Corporation
c/o C.T. Corporation Systems
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

The Goodyear Tire & Rubber Company
c/o C.T. Corporation System
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

Halliburton Technical Services, Inc.
c/o CT Corporation System
1515 Market Street, Suite 1210
Philadelphia, Pa. 19102

and

Hercules Chemical Company, Inc.
c/o Leonard A. Ruvolo
111 South Street
Passaic, NJ 07055

and

John Crane, Inc.
f/k/a Crane Packing Company
6400 Oakton Street
Morton Grove, IL 60053

and

Lac d'Amiante du Quebec, Ltee
a/k/a Lake Asbestos of Quebec, Ltd.
a/k/a LAB Chrysolite, Ltd.
a/k/a ASARCO
156 W. 56th Street, #1902
New York, NY 10019

and

Mallinckrodt, Inc.
675 McDonnell Boulevard
St. Louis, MO 63134

and

Pfizer, Inc.
235 East 42nd Street
New York, NY 10017

and

Pneumo Abex Corporation
f/k/a Abex Corporation
c/o Prentice Hall Corporation System, Inc.
319 Market Street
Harrisburg, PA 17101

and

Premier Refractories, Inc.
f/k/a J.H. France Refractories Co.
c/o C.T. Corporation System
1515 Market Street, Suite 1210
Philadelphia, PA 19102

and

Quigley Co., Inc.
subsidiary of Pfizer, Inc.
235 E. 42nd Street
New York, NY 10017

and

Rapid American Corporation
C/O Prentice Hall Corp System
2704 Commerce Drive, Suite B
Harrisburg, PA 17110

and

Rockbestos Co.
f/k/a The Rockbestos Wire &
Cable Company
20 Bradley Park Road
East Granby, CT 06062

and

Union Carbide Chemical & Plastics Co., Inc.
f/k/a Union Carbide Corporation
c/o Joan Murphy, Paralegal
Kelley, Drye & Warren
101 Park Avenue, 32nd Floor
NY, NY 10178-0002

and

Uniroyal, Inc.
70 Great Hill Road
Naugatuck, Connecticut 06770

and

Universal Refractories, Inc.
915 Clyde Street
Wampum, PA 16157

Defendants.

SHORT FORM COMPLAINT AND DEMAND FOR JURY TRIAL

Barbara J. Harry, Executrix for the Estate of Robert L. Harry, and as surviving spouse,
through their attorneys, sue the Defendants captioned above and hereby adopt and incorporate all

relevant portions of the Master Complaint and by reference the causes of action and paragraphs set forth in the Master Complaint as follows: Steel Master File No. C0048AB200000002.

INTRODUCTION - Paragraphs 1-7;

1. **COUNT ONE - STRICT LIABILITY** - Paragraphs 1-3, 4-8, 9-A, 10-A and 11;
2. **COUNT TWO - BREACH OF WARRANTY** - Paragraphs 12, 13 and 14;
3. **COUNT THREE - NEGLIGENCE** - Paragraphs 15, 16, 17, 18 and 19;
4. **COUNT FOUR - FRAUD** - Paragraphs 20, 21, 22, 23, 24 and 25;
5. **COUNT FIVE - CONSPIRACY** - Paragraphs 26-30
6. **COUNT SIX - LOSS OF CONSORTIUM** - Paragraphs 31-34;
7. **COUNT SEVEN - WRONGFUL DEATH** - Paragraphs 35-42

ADDITIONAL INFORMATION

SHORT FORM COMPLAINT

The following information is provided pursuant to Master Procedural Order No. 1, entered by the Court on December 29, 1999;

8. Plaintiff, Barbara J. Harry, Executrix for the Estate of Robert L. Harry, Date of Birth, 9/10/37, Date of Death, 6/6/01, SS# 161-30-7717, and, Barbara J. Harry, as surviving spouse, is an adult who resides at 440 W. Washington Street, Slatington, Pennsylvania 18080.

9. Plaintiff's Decedent sustained an asbestos related injury and was diagnosed with lung cancer on or about April 10, 2001 and asbestosis on or about June 3, 2001 and suffered with same until his death on June 6, 2001 as a result.

10. Plaintiff's Decedent's time period of exposure to asbestos dust and fibers was from approximately (see attached Exhibit No. 1). Plaintiff's Decedent was employed as a (see attached Exhibit No. 1) during this period of time.

11. Plaintiff's Decedent was employed by (see attached Exhibit No. 1) and worked at the following locations: (See attached Exhibit No. 1)

12. Plaintiff claims no wage loss at this time.

13. Plaintiff's Personal Representative, Barbara J. Harry, is qualified under 42 Pa.C.S.A. §8301(b). Plaintiff is the spouse of the Decedent, and was granted letters by the Register of Wills, Lehigh County, Pennsylvania on August 28, 2001.

14. This action is brought in behalf of the following persons who are entitled to recover damages:

	<u>Name</u>	<u>Relationship</u>	<u>Address</u>
1.	Barbara J. Harry	Wife	440 W. Washington Street Slatington, Pa. 18080
2.	Barbara Ann Halkias	Daughter	235 Fifth Street Slatington, Pa. 18080

DEMAND FOR JURY TRIAL

Plaintiff elects to have her case tried before a jury.

LAW OFFICES OF PETER G. ANGELOS, P.C.

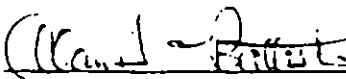
By: 
George A. Weber, III
I.D.#75162
Alan S. Battisti
I.D.#59053
Attorneys for Plaintiffs

EXHIBIT NO. 1

YEAR	EMPLOYER	JOB DUTIES
1957-1961	Chiles & Sullivan Whitehall, Pa.	Construction Worker
1963-1966	Bethlehem Steel Bethlehem, Pa.	Steelworker/Laborer
1966-1991	Exide Battery Allentown, Pa.	Charging Department
1990-2001	• • Americold Logistics Fogelsville, Pa.	Warehouseman